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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/052,585

Applicant(s)

NEWMAN ET AL.

Examiner

TRISHA VU

Art Unit

2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is responsive to Request for Continued Examination (RCE) filed 06/19/2008. Applicant currently amended claims 1, 11 and 20.
2. Claims 1-28 are presented for examination.
3. Claims 1, 11 and 20 are independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Pleso (U.S. Patent 6,009,480).

Regarding claims 1, 11 and 20, Pleso teaches a system and a method comprising:
a plurality of devices (host computer 54, peripheral devices P1-P4 such as printer, scanner, etc., Figs. 10- and col. 4 line 29 et seq.), wherein devices within the plurality of devices communicate with incompatible protocols (e.g. host computer 54 and printer 52 have incompatible protocols, the host computer must download the printer's driver in order to control the printer, otherwise it cannot understand and work with the printer, col. 1 lines 29-54, and col. 7 lines 49-58);

a first device in the plurality of devices (e.g. printer 52) having a universal contextual interface (e.g. interface 82 and associated circuitry, Fig. 3 and col. 7 lines 6-9), the

universal contextual interface associated with at least one instruction (e.g. when the host initiates command to download driver), for transferring contextual data (e.g. driver and associated configuration data) associated with the first device (col. 8 lines 19-49); and

a second device in the plurality of devices (e.g. the host computer 54) that invokes the universal contextual interface of the first device by executing the at least one instruction to transfer the contextual data between the first device and at least one of the plurality of devices (the host computer 54 prompts the printer 52 with a unique command to download the driver code from the printer to the host, col. 8 lines 43-49), the plurality of devices having no prior knowledge of each other (the host computer does not have prior knowledge of the newly connected printer) (col. 8 lines 12-29);

wherein the universal contextual interface is directly invoked by the second device to allow the contextual data to be transferred to the second device (col. 8 lines 12-29); and

wherein the second device (said host 54) registers as a listener with the first device (said printer 52) through a notification interface (e.g. interface 82 and associated circuitry, Fig. 3 and col. 7 lines 6-9) of the first device to receive event notifications with respect to changes (most up-to-date device driver) in the contextual data associated with the first device (note col. 13 lines 25-35).

As for claims 2, 12 and 21, Pleso teaches wherein the at least one of the plurality of devices comprises the second device (col. 4 lines 29-33 and col. 5 lines 2-15).

As for claims 3, 13 and 22, Pleso teaches wherein the first device sends a context object to the second device to be used by the second device to transfer the contextual data (the

printer 52 sends context object such as how many interrupts does the printer need, how many address space does the printer need, the size of the driver, etc. to be used by the host computer to transfer the driver data, col. 8 lines 21-29 and col. 10 lines 30-50).

As for claim 4, Pleso teaches wherein the second device receives a context object from the first device to be used by the at least one of the plurality of devices for receiving contextual data transmitted from the first device (col. 8 lines 21-29 and col. 10 lines 30-50).

As for claims 5, 14 and 23, Pleso teaches wherein the at least one of the plurality of devices uses the contextual data as a criteria to authorize the first device or the second device to access instructions, data or operations associated with the at least one of the plurality of devices (col. 1 lines 29-54, and col. 7 lines 49-58).

As for claims 6, 15 and 24, Pleso teaches wherein the universal contextual interface or a context object have source-specific, object-oriented mobile code that can be understood and performed by the at least one of the plurality of devices to receive contextual data (col. 8 lines 21-29 and col. 10 lines 30-50).

As for claims 7, 16 and 25, Pleso teaches wherein the plurality of devices comprise at least one device, at least one software application or at least one file (col. 5 lines 2-15).

As for claims 8, 17 and 26, Pleso teaches wherein the first device further comprises a historical database having at least one record of data provided by the second

device during invocation of the universal contextual interface (col. 8 lines 21-29 and col. 11 lines 45-54).

As for claims 9, 18 and 27, Pleso teaches wherein the second device invokes a universal notification interface to register the at least one of the plurality of devices to receive an event notification each time the contextual data changes (col. 13 lines 25-35).

As for claims 10, 19 and 28, Pleso teaches wherein the contextual data comprises executable computer language instructions, or a type, operating status, identity, location, administrative domain or environment information of at least one of the plurality of devices (col. 1 lines 29-54, and col. 8 lines 21-29).

Response to Arguments

5. Applicant's arguments with respect to claims 1, 11 and 20 have been considered but are moot in view of the new ground(s) of rejection.

In fact, Applicant argues with the newly added limitation "wherein the second device registers as a listener with the first device through a notification interface of the first device to receive event notifications with respect to changes in the contextual data associated with the first device" which requires further consideration. However, the above newly added limitation of the extended scope of the claimed invention is still anticipated by Pleso.

Pleso teaches the second device (said host 54) always registers as a listener with the first device (said printer 52) to through a notification interface 82 of the first device

(said printer 52) to receive event notifications (when there is a modified web site location where the most up-to-date peripheral device driver is posted) with respect to changes in the contextual data (i.e. updated device driver) associated with the first device, the up-to-date device driver could then be automatically downloaded to the computer system (note col. 13 lines 25-35).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRISHA VU whose telephone number is (571)272-3643. The examiner can normally be reached on Mon-Thur and alternate Fri 8:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trisha Vu/
Examiner, Art Unit 2111

/Glenn A. Auve/
Primary Examiner, Art Unit 2111